

## **EXHIBIT 2**

The Hon. Colleen McMahon  
United States District Court  
Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 640  
New York, NY 10007

Dear Judge McMahon:

I'm Ruopian Chen's father, and I would like to tell you a little about Ruopian. I don't mean to influence your judgement, but as the father who knows him the best, to introduce Ruopian's past to you.

Ruopian is my second child. Because of the Chinese Cultural Revolution between 1966 and 1976, I was sent to a remote village in Northeastern China after I graduated from Beijing University. (In those days, having education was considered highly influenced by Capitalism and the more education one has, the guiltier he/she is. Usually they were sent to villages to do rough labor work as punishments). When he was born, we had very hard living conditions. There were not enough food and nutrition. And almost nothing for heating. It was often ten to twenty degrees below zero in winters. Kids had to wear thick clothes while studying, sometimes even with blankets around their little bodies. Many times, their hands were numb due to the coldness after they do a little bit of writing. Kids had to rub their hands to warm up and keep writing after that. Under that difficult living condition, Ruopian was raised as a caring and helpful person. He always saved his favorite things or food to the village kids who had probably more difficult lives than ours. When he was in elementary school, he once saw a state cargo truck with soy beans having some accident, and he helped to pick up the beans on the road one by one with his little hands until all of them were put back to the truck. His hands were blue and purple after that, as it was a very chilly winter day. When he was in middle school, a classmate was seriously ill and could not go to school, he went to her home every day to help her catch up with the class, and did that for a full semester.

He is always strict to himself and very disciplined. I remembered once he tripped and fell off from a 10-step stairs on his final exam day while carrying his bicycle downstairs. His face was bruised, his jaw was seriously cut with blood all over it, and he had a light head concussion. After some quick procedures performed by a nurse in a nearby clinic, he insisted to go to the exam, though the doctor said he could write a note for him to be exempted. He declined and rode his bicycle to school that day and participated the finals, and still made the best grade in the class that semester. He had to stay in the hospital the next few days. We were very proud of his self-disciplines and his strength when facing difficulties.

He is also a person who understands and takes responsibility at a young age. When he was 15 years old, his sister climbed on a high chair in the kitchen to look for something and fell onto a long nail on the wall. It spiked into her head at the back and it was extremely scary. Only Ruopian and his mother were at the scene, but she was so shocked that she could not move. Ruopian bravely came up to have a quick rescue and then carried his sister to the outside and got an ambulance for her. He was there in the hospital dealing with all the paperwork and talking to doctors while his mother was still in shock, because the worst could happen that her daughter may be forever paralyzed. Luckily, the nail did not touch any large nerves or major blood vessels, and because of Ruopian's quick actions, the operation was in time and his sister recovered fully from the accident. We had no doubt since that day that Ruopian had grown into a young man who can be trusted with responsibilities. And to his sister, he was truly a brother born for adversities.

Ruopian understands from the very beginning that he needs to work hard to strive for excellence. Though the middle school he went to was an average one, he was still admitted to the best high school in the city due to his excellent grades. In high school, he was rated as the "Triple Excellency" student every year, which was the highest honor there. When he graduated, he was admitted to the best university in China, Beijing University, exempted from the admission exams (the exemption was only given to the top 1% of the students in the country). And coincidentally, he was assigned to the same dorm where I stayed almost 30 years ago at Beijing University. Though the beds changed, he was in the same bunk position as mine. I was so proud of him. During his college study, he won fellowships every year and he got admitted to Princeton University in the United States with great grades, achieving his, including my whole family's dream to earn this incredible education opportunity. After he started working on Wall Street, he had excellent remarks from colleagues due to his talents and down to the earth personalities. While he's on his way to a better life, this happened unfortunately and it surprised everybody who knows him well. We all feel very sorry for what happened.

We love Ruopian and his older sister, and he respects us and cares about us. He always sent his winning prizes from various competitions at school to his grandparents and they enjoyed every step he was making toward his dream. He called his grandpa on his birthday every year from the United States and bought him Ginseng and other health products. His grandpa is almost 90 years old, we are sorry that with what happened, Ruopian may never be able to see his beloved grandpa ever again. These years, whenever he was able to come back and visit us, he always bought many things for us. He knows his mother is not in good health condition, so he always keeps his eyes open on the new products and technology related to her health problems. He bought medicines for her and checked in with her all the time to make sure she is on the right dosing schedule. Every year, there is this Chinese family holiday, called "Moon Festival". It's similar to Thanksgiving in the United States, when family members get together and enjoy the love and care among them. In this

past one in September, we could not have Ruopian, his wife and our grandson here together. But Ruopian sang a song for his mother over the phone. I understood he was in an extremely stressed situation, but he still sang his mother's favorite "Moon Festival" song to her with a little shaky voice. The song says, "when the dark night comes, there's this bright moon. Past memories are like dreams. Where can I pick up all of them again? Loved ones are separated by thousands of miles, the only way to communicate is through this bright moon..." His mother quietly wept as she knew she might not hear Ruopian's voice this time next year.

Recently, we received some pictures of Ruopian's newborn son. We had very complicated feelings. Ruopian was always a kid's best friend. He loves interacting with children and we were amazed how well kids get along with him. They like to play with Ruopian and listen to Ruopian's many science fiction stories. Those were mixed with real interesting scientific anecdotes that kids are tempted to know more at school. He encouraged many young kids around the neighborhood to study and learn science instead of making troubles on the street. Now we are happy for him that he finally has his own son. Yet we are also worried how he would take one of the consequences, which is not seeing his son for a few years.

As a father myself, I had great memories with my son Ruopian. I remembered the moving moment of the first time he smiled at me; I remembered my holding him hand in hand to learn walking; I remembered in summer encouraging him not to be afraid of choking to learn swimming; and in winter to learn skating after dozens of dozens of falls by telling him to stand up again. I also remembered under such difficult environment, I put up a small old study desk to make a Ping Pong table to teach him how to play. Now I understand that he was home confined even before his son was born and is still confined now. He lost so much happiness that he could have with his son. He could not even take his son out on a stroller or go to a playground nearby to push a swing for his son. He's facing losing the most critical years bonding with his son for the coming years. As a father, I feel deeply sorry for him, because he would not have so many beautiful memories like I have. What he's going to lose is not just time, but a life experience, a forever gone chance to build up the trust between him and his son. Ruopian always talks about me as his great father, a know-all hero for him. His son probably can't remember his father the same way like Ruopian did to me. But Ruopian is a kind and caring person as always. I hope his son can understand this one day.

Your honor, I understand law is serious, and Ruopian should have fully obeyed the law. I also understand that you are the only person who can decide his fate. I hope while you preserve the seriousness of law, you can give him hope to let him stand up again, to be a good person again, to serve the society again. The past months really had burnt him inside out. He understood the damage he caused to the society and his mistake destroyed his whole family. He learned from it and will keep this in his heart.

Please trust him that he would always keep his legal responsibilities in mind no matter he does in the future.

Thanks for reading my letter and thanks for the understanding of a father.

Yours sincerely,

Xin Chen

October 28, 2007

*Xin Chen 28/10-07*

尊敬的 McMahon 法官：

我是陈若翩的父亲。在此，我想向您谈谈我的儿子的情况。我这样做，没有企图影响您判决的打算，只是作为最了解他的父亲，把他的过去介绍给您，让您对他有更多的了解。

若翩是我的第二个孩子。由于中国 1966-1976 年文化革命的原因，虽然我毕业于北京大学也被发到了农村（那个年代我们受的教育被认为是资本主义的，受教育越多越有罪。通常要被送到农村去接受劳动改造），所以他出生时我们的生活条件是很艰苦的。食物不足。几乎没有什么可供取暖的东西，冬天屋子里经常在零下十几度。孩子们学习时不但要穿棉衣，有时还要再披上棉被。经常是写几个字以后手就冻僵了，只好自己搓搓手，把手搓热了再接着写。就在那样艰苦的条件下，在我们的教育下他从小就很有爱心，乐于助人，常常把自己也喜欢吃的东西送给比我们更困难的农民家的孩子。刚念小学时，有一次，他发现国家运粮车出事故翻倒有黄豆漏掉在乡间路上，他跟在车后一个粒一个粒地把掉在地上的豆粒捡起来，两只小手都冻红了，直到捡干净并送到车上去。念初中时，同班一个女同学重病在家不能上学，他每天都去那个同学家去为她补课，坚持了整整一个学期。若翩对自己要求很严格，十分遵守纪律。我记得有一次，他抬自行车下楼，从楼上摔下十个台阶。那天是他们的期末考试。他的脸被撞青，下巴豁开了一个口子，还出了血。他当时摔的头晕，应该是轻度的脑震荡。附近的一个诊所的护士给他做了简单的处理，医生也说可以给他开个假条，就不必去参加考试了。可是他坚持要去，还是骑车去参加了期末考试，而且他还取得了班里的最好成绩。考试完以后，他不得不在医院住了好几天。我们对他的自我约束能力和在面临困难时的坚强感到非常骄傲。

他还是一个在很小的年龄就懂得负担起责任的人。他 15 岁时，他的姐姐在厨房登高取一件东西，不慎摔了下来，撞到后面墙上的一个大钉子上，场面十分恐怖。当时家里只有若翩和他的妈妈。他的妈妈吓得不能动弹了。若翩勇敢地冲上去，扶起姐姐，背到楼下，叫了救护车。在医院里他帮助填表，向医生说明情况。当时他的妈妈怕她的女儿会永远瘫痪，还在惊恐之中。幸运的是钉子没有碰到大的神经和主动脉，由于若翩的快速反应，手术很及时，他的姐姐很快就复原

了。从那一天起，我们就认识到若翩已经长成了一个可以交付责任的年轻人了。对他的姐姐来说，若翩是她真正的患难与共的兄弟。

他从小就知道什么事情都要靠自己的努力来争取最好的结果。虽然他所在的学校教学水平很一般，但他通过自己的努力还是以全市最好的成绩考入了该市最好的高中。在高中由于他品学兼优，多次被评为三好学生，在毕业时被保送到中国最好的大学-北京大学（在中国只有 1%不到的最好的学生才有可能被保送到北京大学）很凑巧的是他被分配的宿舍正是三十年前我在北京大学读书时住过的那间。尽管床已经变了，但是床位还是当年那个位置。我真为他骄傲。在大学里，他每年都获得学校的奖学金，最后以较好的成绩进入普林斯顿大学攻读博士，实现了他的也包括我们全家的梦想，得到了世界上难得的学习机会。到华尔街工作以后，以他的才智和务实的作风很快就获得了同事们的好评。正当他的事业蒸蒸日上时，很不幸地发生了这样的事情。这让我们和所有了解他的人都深感意外，也十分痛心，很为他惋惜。

我和若翩的妈妈都很爱若翩和他的姐姐。他对父母和长辈也很孝顺。小时候他总是把自己得到的各种奖状先给爷爷奶奶送去，让他们得到更多的快乐。他的爷爷也总是为若翩的进步而骄傲。他出国以后经常给他的爷爷买人参等滋补品，每到爷爷的生日都会给爷爷打电话祝爷爷生日快乐。若翩的爷爷今年快 90 岁了，也许若翩再也没有机会看见他的爷爷了，他的爷爷很想念他，想起来这是他的一大遗憾啊。这几年，每次他从国外回来都要给爸爸，妈妈和姐姐买很多东西。他知道妈妈的身体不好，平时他就特别留心和妈妈的身体有关的新药和新的医疗技术，还经常在电话里了解妈妈的服药情况。每年中国有个中秋节，有点类似美国的感恩节一样，家家团圆，共享天伦之乐。今年九月的这个中秋节，我们不能和若翩和他的妻子及我们的孙子团聚。但是若翩在电话里给他的妈妈唱了一首歌。我们都知道他还处在极度痛苦的状态里，但他还是用略略颤抖的声音给妈妈唱了她最喜爱的中秋歌曲。歌词的大意是：夜色茫茫照四周，天边新月如钩。回忆往事恍如梦，重寻梦境何处求。人隔千里难相聚，请明月代问候。他的妈妈静静地听着，哭泣着，因为她知道明年这个时候她不会再听到若翩的声音了。

最近我们收到若翩刚刚出生的宝宝的照片，看到他有了自己的儿子我们思绪




万千。若翩是孩子们的好伙伴，他喜欢孩子。我们为他能经常和小孩子们玩到一起感到惊奇。孩子们也都喜欢和他玩，喜欢听若翩讲的那些科幻故事，那些故事里面总有很多有趣的科学知识，总能引发孩子们更大的好奇心去学校里学习更多的东西。很多小区里的孩子在他的鼓励下知道了努力学习，不再在街上玩耍生事了。现在我们非常高兴他有了自己的儿子，但我们也担忧他怎么去面对在未来几年不能见面的儿子呢？

作为父母，我们有很多记忆深刻的往事。我想起我看到他第一次对我笑时的感动；我也想起我手把手教他学走路的样子；还有夏天教他不要恐惧呛水学习游泳，冬天几十次跌倒了再爬起来学习滑冰。想起我们在那样艰苦的环境下，用小课桌搭起简易乒乓球台教他打乒乓球。如今我知道他还在孩子没出生时就被拘在家，失去了很多和他儿子共享的欢乐。他甚至不能推个小车带他的孩子去附近的儿童乐园玩，推一下宝宝的秋千。而且他更面临着失去未来这关键的父子交流的几年。做为一个父亲，我深深地为他惋惜。因为他不能像我一样拥有这么多幸福的回忆。他失去的不仅仅是时间更将是人生的一种体验，一种永在流逝的机遇，就像若翩常常和我谈起他所记得的我是他的伟大的父亲，全能的英雄。若翩的儿子也许不大可能这样记起他的爸爸的好处。但若翩仍然是一个善良又充满爱心的人。希望他的儿子有一天会明白这些。

尊敬的法官，我们知道法律是严肃的，若翩应该遵守法律。我们还知道您是唯一掌握若翩命运的人。我们希望您在维护法律的尊严的同时，能给他以希望，让他将来能重新站起来，重新做人，重新服务于社会。这几个月对他的煎熬让他心力交瘁。他已经知道他的过失对社会造成的危害，知道了他的一个巨大的错误造成了一个家庭的破碎，他会深以为戒的。请您相信他以后不论做什么事情，都会首先想到自己的法律责任。

谢谢您读完我的信，谢谢您对一个父亲的理解。

陈昕



28/10-07